BILL NO. Z-71-12-26

ZONING MAP ORDINANCE NO. Z-[redacted]

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-8.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. A-8 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot # 7, except the North 42 feet, and Lot #8, McKinnieville Addition, located on the northwest corner of Calhoun Street and Fleming Avenue.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Councilman

APPROVED AS TO FORM
AND LEGALITY

Read the first time in full and on motion by Tipton seconded by Rousseau and duly adopted, read the second time by title and referred to the Committee on Regulations (and to the City Plan Commission for recommendation) (~~and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on~~ ~~the~~ ~~day of~~ ~~197~~, at ~~o'clock~~ ~~P.M., E.S.T.~~

Date: 12-28-71

Fred E. Boxhoorn
CITY CLERK

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. ~~Passed~~ (LOST) by the following vote:

AYES 0, NAYS 8, ABSTAINED 0, ABSENT 1 to-wit:

Burns	___	✓	___	___
Hinga	___	✓	___	___
Kruse	___	✓	___	___
Nuckols	___	✓	___	___
Moses	___	✓	___	✓
Schmidt, D.	___	✓	___	___
Schmidt, V.	___	✓	___	___
Steir	___	✓	___	___
Talarico	___	✓	___	___

Date 2-22-72

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) ~~(General)~~ ~~(Annexation)~~ ~~(Special)~~ ~~(Appropriation)~~ Ordinance ~~(Resolution)~~ No. Z-[redacted] on the 22 day of February, 197 2.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23 day of February, 197 2 at the hour of 10:30 o'clock A.M.,E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this ____ day of _____, 197____, at the hour of _____ o'clock ____.M.,E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 28, 1971, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-71-12-26; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 17, 1972;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 24, 1972.

Certified and signed this 7th day of February 1972.

William J. Jones
Director of Planning

Hold 2/8/72

Bill No. Z-71-12-26

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. A-8,

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance do not PASS.

EUGENE KRAUS, Chairman — Eugene Kraus

JAMES S. STIER, Vice-Chairman — James S. Stier

WILLIAM T. HINGA — William T. Hinga

PAUL BURNS — Paul M. Burns

VIVIAN SCHMIDT — Vivian G. Schmidt

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

RECEIPT

№ 111

GENERAL FUND

FT. WAYNE, IND. Dec 16 1971

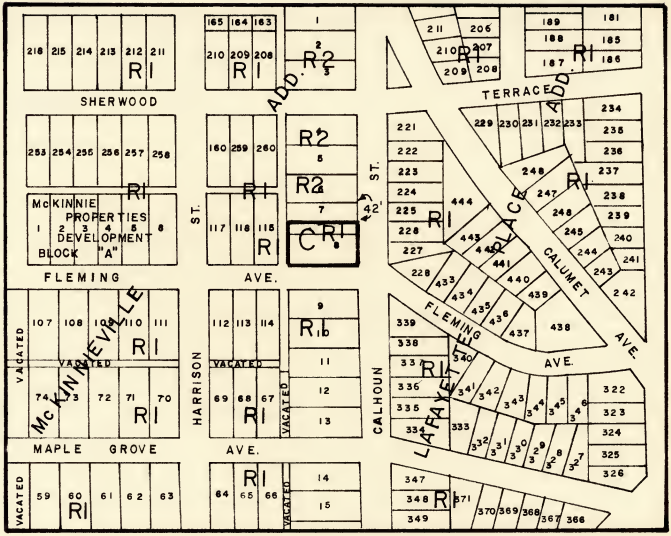
RECEIVED FROM Jackson & Parrish $50.00

THE SUM OF Fifty and 00/100 DOLLARS

ON ACCOUNT OF Zoning Petition

Kenneth E. Disler

AUTHORIZED SIGNATURE



C CHANGE FROM RI TO R3

Z-71-12-26

N

DATE 12-16-71

TO: PLAN COMMISSION
CITY OF FORT WAYNE

Received Jan 17, 1972

Z-71-12-26

OBJECTIONS TO REZONING
TO R-3 OF THE NORTHWEST
CORNER OF CALHOUN STREET AND FLEMING AVENUE

The Sherwood to Pettit Civic Association, Inc., representing more than 100 families residing in the area in which the above real estate is located, object to the petition to rezone this property to an R-3 classification for the following reasons:

1. This request seeks to establish a small R-3 classification in the midst of a high quality residential area consisting primarily of an R-1 classification, which area extends two or more blocks in every direction from the property sought to be rezoned. The granting of such a classification would be the beginning of a decline in the quality of this neighborhood since there is no other property anywhere on South Calhoun Street that could not make an equal or better argument for such reclassification.

2. The petitioner does not need the requested classification in order to obtain a profitable use from the building located on this real estate since the presently objecting and remonstrating parties would not oppose re-establishing the contingent non-conforming use heretofore granted to the petitioner. The remonstrators took the initiative in making such a proposal to the petitioner even though this contingent use expired by reason of not having been utilized for more than one and one-half years.

3. The granting of the petition would create substantial traffic problems. Even though there are thirteen off-street parking spaces presently established on this real estate, there is an inevitable pattern of additional parking on West Fleming Avenue as experienced at the time that the building was a physician's clinic. Fleming Avenue is relatively narrow and such parking is a detriment to safety and the appearance of the neighborhood.

4. There is no community need for the facilities allowable under the zoning classification sought by the present property owner. For many of the allowable uses under this classification, there are ample facilities at "Southgate Plaza", which presently has six (6) empty commercial properties. These are within four blocks of the property here under consideration.

(WARREN W. WYNEKEN, Attorney for Remonstrators)

DUNTEN, BECKMAN, WYNEKEN, LAWSON & FRUECHTENICHT
2410 Fort Wayne Bank Building
Fort Wayne, Indiana 46802
Telephone: 742-8491
Attorneys for Remonstrators

DATE: January 14, 1972

TION FOR ZONING ORDINANCE AMENDMENT

COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

No. _____

DATE FILED: _____

INTENDED USE: _____

John Truemper, Jr. and Constance D. Truemper
Applicant's Name or Names

ereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana by lassifying from an R-1 trict to a R-3 District the property described follows:

Lot Numbered 7, except the North 42 feet thereof in McKinnieville Addition to the City of Fort Wayne and all of Lot Numbered 8 in said McKinnieville Addition to the City of Fort Wayne, according to the recorded plat thereof. Existing one-story office building used as a medical clinic. Would like to change to general office use. (DEED BOOK 569 P. 504)
General Description (Prepared by Planning Staff) PLAT BOOK 6, P. 31

Lot # 7, except the North 42 feet, and Lot # 8, McKinnieville Addition, located on the northwest corner of Calhoun St. and Fleming Ave.,

Legal Description

l Description Checked by (City Engineer) Dennis Embury for Ron Bowen

Undersigned applicant (s) upon the execution and submission of this application and petition zoning ordinance amendment, understands and agrees that:

All requests for continuances or requests that ordinances be taken under advisement l be filed in writing in the Office of the City Plan Commission by noon on the Wednesday eding the meeting of the City Plan Commission at which the ordinance is to be considered. he request for a continuance or for the ordinance to be taken under advisement is filed in the required time, the head of the Plan Commission staff shall not put the matter on agenda for the meeting at which it was to be considered. Also, in the event, a request is d for continuance or delay in the consideration of an ordinance, it shall be the obligation he petitioner to notify the same property owners which the Plan Commission had notified by that the hearing has been postponed or rescheduled and informing him of the time and e of the next meeting at which the proposed ordinance will be considered. In the event the and place of the meeting is not known at the time that the request for continuance is d, it shall be the duty of the petitioner to notify all persons notified by the Plan ission Office when the time and place of hearing is determined.

hereby certify that as the undersigned, I am / We are the owner (s) of fifty-one entum or more of the property described in this petition.

Name	Address	Signature
John Truemper, Jr.	4109 South Harrison	John L. Truemper Jr.
onstance D. Truemper	4109 South Harrison	Constance D. Truemper

petition for zoning ordinance amendment prepared by:

hilip Burt Attorney-at-law 1325 Lincoln Bank Tower 422-6402
Name Jackson, Parrish & Larson Address Telephone Number